

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.27535 OF 2005

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Dated: 29-12-2005

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Between

Bellam Siddeswararao, S/o. Lakshminarayana

Occ: Cultivation, R/o. Uppugonduru Village,

Naguluppalapadu Mandal, Prakasam District

and others.

...PETITIONERS

AND

State of A.P., rep. by its Principal Secretary

Irrigation & Command Area Development

Department, Secretariat, Saifabad, Hyderabad

and others.

...RESPONDENTS

ORDER:

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Petitioners seek a Writ of Mandamus to declare the action of the respondents in not preventing unauthorized wet paddy cultivation of non-ayakut lands between 10/1 mile and 10/5 mile of Emileru channel in Uppugunduru village in spite of complaints submitted on 09.09.2005 and 17.09.2005 by them as illegal and arbitrary.

Learned counsel for the petitioners submits that the petitioners are having various extents of lands on the eastern side of Emileru channel and are raising dry crops. The learned counsel

further submits that the neighbouring non-ayakutdars illegally opened sluices to the Emileru channel and installed diesel engine run pump sets to lift the water so as to irrigate the non-ayakut upper lands with wet paddy crops. Such unauthorized way of drawing water is causing serious damage to the dry crops being raised by the petitioners and the seepage emanated from the said lands is being spread to the lands of the petitioners and damaging the dry crops. Therefore, the petitioners got issued legal notices dated 09.09.2005 and 17.09.2005 to the respondents 2 to 4 to address their grievance but the said complaints have not been considered and disposed of.

Having regard to the facts and circumstances of the case,
the fourth respondent is directed to consider the representations of the petitioners and take appropriate action in accordance with law.

The writ petition is accordingly disposed of.

V. ESWARAIAH, J

December 29, 2005

DSK